



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Docket Number (Optional)**  
**544092000122**

**va-84896**

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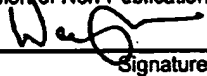
## 3. Terminal disclaimer with disclaimer fee

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Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☒A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ 55.00 for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. The required reply, attached hereto, is a Rescission of Previous Non-Publication Request and Notice of Foreign Filing. A Request for Non-Publication was filed concurrently with this application. PCT application number PCT/US04/3432 corresponding to the above-referenced application, was filed on February 6, 2004. Since more than 45 days has passed since the filing of the PCT application, this application is abandoned per 35 USC 122(B)(iii). However, the filing of the PCT application was not made by the undersigned attorney of record nor any member of the firm with which he is affiliated. Further, the filing of the PCT application was not brought to the attention of the undersigned attorney of record nor any member of the firm with which he is affiliated, thereby resulting in the unintentional delay in filing the attached Request for Rescission of Non-Publication.



Signature

November 19, 2004

Date

Wayne C. Jaeschke, Jr.

Typed or printed name

38,503

Registration Number, if applicable

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Enclosures:

☒

Fee Payment

☒

Reply

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Terminal Disclaimer Form

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Additional sheets containing statements establishing unintentional delay

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Other: \_\_\_\_\_